

Notice of Allowability

Application No.

10/521,098

Applicant(s)

RON ET AL.

Examiner

Marc S. Zimmer

Art Unit

1712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/02/07 and the interview conducted 06/07/07.
2. ☒ The allowed claim(s) is/are 53-59,61-71 and 74-79.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with J. Lanny Tucker on June 7, 2007.

The application has been amended as follows:

In claim 53, please insert the phrase,

-- in a direction vertical to the substrate --

after the word "distribution" in line 3 of the claim.

Please replace all previous versions of claim 57 with the following:

57. The lithographic printing plate of claim 53, wherein the self-organized layer contains a polydimethylsiloxane, a hydrophilic polymer, and an infrared absorbing dye, pigment, or a mixture of dyes and pigments.

In claim 58, please replace the article "A" with

-- The --.

Also in claim 58, please remove the second of consecutive incidences of the word "said" in line 2 of the claim.

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Please replace all previous versions of claim 65 with the following:

65. A method of forming a lithographic printing plate, comprising providing a substrate, and forming on said substrate, an infrared-imageable, self-organizing layer that features a continuous varying distribution in a direction vertical to the substrate of a hydrophilic/oleophilic, ink-receptive polymer material and a hydrophobic/oleophobic ink-repelling polymer material that are dissolved in a mixture of at least two volatile organic solvents, the distribution being induced by the incompatibility of said materials during the evaporation of said mixture of at least two volatile organic solvents.

Please replace all previous versions of claim 65 with the following:

69. The method of claim 65, wherein the self-organized layer contains a polydimethylsiloxane, a hydrophilic polymer, and an infrared absorbing dye, pigment, or a mixture of dyes and pigments.

In claim 70, please remove the word "said" in line 2 of the claim.

In claim 74, please remove the word "additionally" and make this claim dependent from claim 65.

Please cancel claims 60, 72, and 73.

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Claims 53, 57, 58, 69, 70, and 74 were amended to resolve small matters.

Concerning claim 65, the Examiner had expressed concern to the Applicant that the way the method had been described as of the May 2, 2007 correspondence might have omitted essential elements because there appeared to be little distinguishing the method step, i.e. simply laying down a mixture of a hydrophilic/oleophilic, ink receptive polymer and a hydrophobic/oleophobic ink-repelling polymer, from that disclosed in prior art documents of record yet the outcome, the realization of a continuous varying distribution, or gradient, in the thickness direction was different as the prior art described the coating as having instead an island-in-sea orientation. The Examiner inquired as to whether that the employment of a solvent mixture, as opposed to a single solvent in which both polymers were solubilized/dispersed, might be integral to the method as this appeared to be suggested in Applicant's Specification. Applicant authorized the modification of claim 65 in the fashion outlined *supra*.

Claims 60, 72, and 73 were cancelled because they were not further-limiting of the claims from which they had depended.

The Examiner conferred with a translator on the teachings of JP 62-134289. The translator verified that the product described therein did not possess the claimed gradient film nor was an equivalent method of preparing the film contemplated. An updated survey of the prior art did not yield a reference more germane than those already cited hence claims 53-59, 61-71, and 74-79 are deemed allowable.

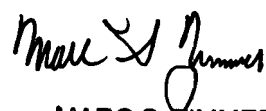
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc S. Zimmer whose telephone number is 571-272-1096. The examiner can normally be reached on Monday-Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 8, 2007


MARC S. ZIMMER
PRIMARY EXAMINER